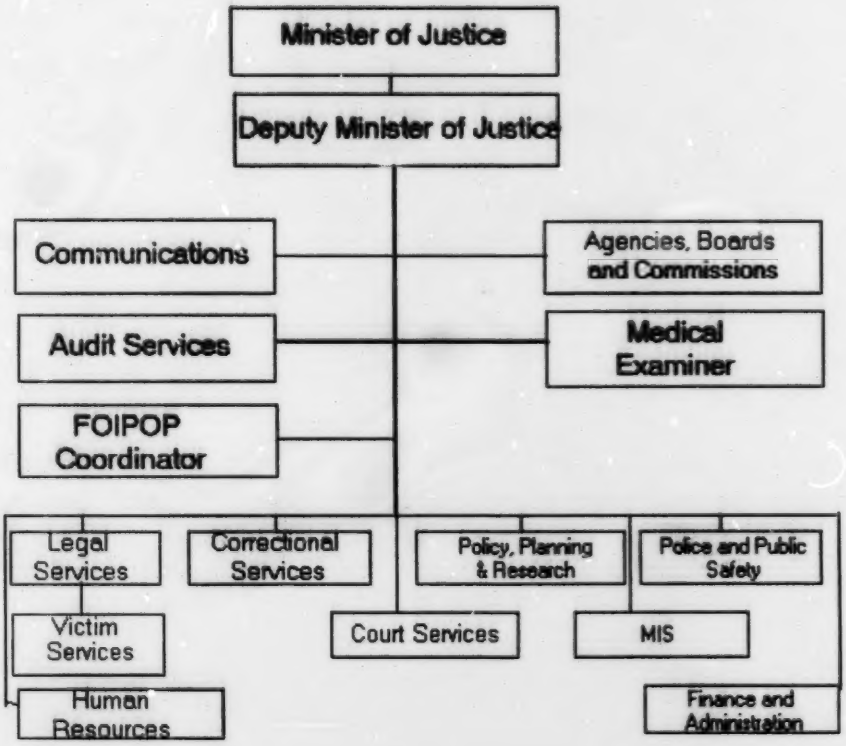
The Course Ahead: The Government's Vision

The Course Ahead is a new direction for Government in Nova Scotia. This vision seizes economic and social prosperity, and contributes to the resolution of financial and public services problems fac[illegible]e province so that the promise of the province can be realized.

Nova Scotia Department of Justice: Business Plan

Overview

The Department of Justice is responsible for the administration of the courts; operation of correctional facilities for adult and young offenders; provision of community correctional services for adult and young offenders; legal advice and representation to all government departments and agencies; civil proceedings by or against the Crown; programs for victims of crime; administration of the maintenance enforcement program; and the provision of audit and consultative services to law enforcement agencies.



The Department employs 1452 individuals in 150 offices and 11 correctional

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institutions throughout the Province.

Over the past few years, the Department has been moving to consolidate court and public offices through the establishment of 13 justice centres. In 1999-2000 establishment of the new Family Division of the Supreme Court occurred, with implementation in the Halifax and Cape Breton Regional Municipalities. A proposal is being developed to seek federal government funding to extend the coverage of the new Court to the entire Province. A number of initiatives have been undertaken to divert cases from the costly formal justice system and to streamline processes for matters before the justice system.

Through a Cooperative Business Solutions process, a custody configuration plan was developed to replace or renovate nine adult correctional institutions. Action is now being taken on one component of the plan: the construction of a new central adult correctional facility, co-located with a new forensic institution in the Halifax Metro area.

In the area of law enforcement, the provincial/municipal service exchange has had a significant impact on the delivery of policing services throughout the Province. The structure of policing services is in flux, with many municipalities considering various models of service delivery: for example, amalgation of municipal police forces; development of regional police forces; and conversion from municpal police forces to RCMP policing or vice versa.

Victims of crime in Nova Scotia, as elsewhere in Canada, desire to play a greater role in the criminal justice process. The Department has undertaken a number of initiatives to assist victims, particularly children and those who are victims of family violence. Recent amendments to the Criminal Code included provisions to significantly enhance the recognition, participation and protection of victims of crime by the criminal justice system. Through the restorative justice initiative, the Department is providing a vehicle for victims to be heard and for greater community involvement. Our objective is to ensure greater offender accountability, thereby raising public confidence in the justice system.

Budget allocation (per budget tabled in the legislature)

Operational Area	Allocation ($ 000's)
Courts and Registries (Family and Provincial Courts, Appeal and Supreme Courts, Maintenance Enforcement, Probate, Sheriffs)	19,048
Correctional Services (Probation, Adult and YO Institutions)	20,639
Police and Public Safety Services (RCMP contract, Native Policing, Internal Investigation Unit, Gun Control)	18,860
Nova Scotia Legal Aid (Criminal and Civil)	8,380
Fatality Inquiries Act (Chief Medical Examiner, Pathologists, Body Removal Services)	1,108
Administration (Legal Services, CSU's, Public Trustee, Policy and Planning, Victims' Services)	14,258
Total	**82,293**

Challenges facing the Department:

Federal cutbacks:
Federal cutbacks in federal-provincial cost-shared agreements have had a negative impact on the Department. In the young offender area, federal departure from a former 50:50 sharing of costs has resulted in an annual loss to the Province of $1.5 million. A similar reduction in federal payments for legal aid has resulted in annual losses of over $1 million. Off-loading in the policing area has resulted in significant increases in expenditures for RCMP policing, First Nations policing and National Police Services (forensic laboratory and identification services, communications, police training facilities).

Service exchange:
The provincial/municipal service exchange has shifted the responsibility for rural policing to the municipal units, a number of which are experiencing severe fiscal pressure. Rural municipalities are demanding increased accountability of the RCMP in an effort to contain expenditures while maintaining an acceptable level of policing service.

Replacement of archaic court/correctional facilities:
Serious deficiencies in the physical plants have been documented for many years. Although a new adult correctional institution, co-located with a forensic facility, is currently being constructed in the Halifax Regioanl Municipality, resources are insufficient to address defencies in other correctional and court facilities.

Complex trials:
There has been an increase in the number of highly complex trials, resulting in significant unforeseen costs to the Department. These high-profile cases require additional security, and occasionaly, interpreters - all of which place severe strains on the Departmental budget.

Increased demand for services:
The escalation in service demands, over which the Department has no control, poses serious problems for cost containment. The continuing increase in the number of court ordered assessments, demands byt he judiciary for enhanced security, and the need to provide services to individuals with special needs are significantly cost drivers. Costs of providing legal aid and court services are frequently driven by actions taken by the Public Prosecution Service and /or Supreme Court of Canada decisions over which the department has no control.

Institutional abuse:
Response to incidents of abuse perpetrated on children residing in provincial institutions over a fifty year period continues to figure prominently in the work of the Department. The independent review of the previous government's response to the institutional abuse is expected to be completed by March 31, 2001 at an estimated cost of approximately $950,000.

Youth Criminal Justice Act:
It is anticipated that the new federal legilsaion will dramatically change the approach to juvenile justice, with resulting expenditures for new programs required fo the Province. Although the federal government has committed to increasing cost-sharing, the Province will have difficulty allocation resources to new programs.

MISSION

The Department of Justice is committed to the fair and effective administration of justice and to excellence in service to the people of Nova Scotia.

STRATEGIC GOALS

1. Improve public safety and security
2. Provide effective dispute resolution mechanisms
3. Offer a co-ordinated response to victims of crime
4. Provide safe and secure custody, control and effective supervision of offenders
5. Promote the lawful administration of public affairs

In making our homes and our streets safer, using legilstive tools and community-based actions, we are preserving Nova Scotia's qulaity of life allowing us to attract business and investment. (***Sustainability***)

In lessening the financial burden for families in crisis and in expanding the jurisdiction of the small claims court for people in conflict, we are providing more accessible and more effective dispute resolution mechanisms. (***Accessibility***)

In stepping up enforcement and fine collection, and examining the possibility of a cost recovery program for the custody of impaired drivers, we will ensure those who break the law will pay for their actions. (***Fairness***)

In holding individuals accountable when a crime is committed, and in holding parents responsible for the actions of their children in conflict with the law, we are promoting safety and security while improving accountability and community responsibility. (***Accountability***)

CORE BUSINESS FUNCTIONS

- Provides legal services to government
- Provides custody/supervision of offenders
- Provides infrastructure and support to courts
- Enforces court orders
- Establishes and monitors compliance with standards for delivery of police services
- Provides services to victims of crime

PRIORITIES FOR 2000/2001

Improve public safety and security

We will

- Implement a comprehensive and effective crime prevention strategy in cooperation with police, community organizations, schools and the public and corporate sectors.
- Deliver critical training to police officers and establish a comprehensive audit policy to ensure compliance with provincial policing standards so that we may enhance the safety and security of our communities and the quality of police investigations.
- Develop a comprehensive strategy for the delivery of policing services that will respond to the changing needs of our communities.
- Develop effective early intervention strategies targeted to youth at risk in cooperation with departments of Health, Community Services, Education, the Sport and Recreation Commission and the Youth Secretariat.
- Implement a program to educate seniors on how to effectively deal with

situations where they consider their safety at risk.
- Prepare legislation that provides for the forfeiture of "johns" vehicles in prostitution related offences.

Provide effective dispute resolution mechanisms

We will

- Continue to put children first with the further development and expansion of the Family Division of the Supreme Court
- Continue to hold offenders accountable and give victims a voice as we further develop and implement our restorative justice program.
- Improve fine collection and enforcement of fines.
- Modernize and simplify procedures relating to the *Probate Act*.
- Focus on improved client service in the court system.
- Prepare legislation that will require parents to make restitution to victims where lack of proper parental supervision has caused a young person to commit a crime.
- Assist people in resolving conflict by extending the jurisdiction of Small Claims Court and by incorporating mediation serives into civil court process.

Offer a coordinated response to victims of crime

- We will

  - Implement and evaluate the federal legislation affecting victims of crime and will develop a plan of action that will place greater emphasis on the rights of victims of crime.
  - Ensure victims of home invasions are eligible for funds under the Criminal Injuries Compensation Program to assist them to deal with the trauma they have experienced.
  - Develop mechanisms to ensure victims' rights are addressed in disposition hearing for accused determined to be not criminally responsible due to mental disorder.
  - Implement processes to enable victims of crime to more readily attain restitution from offenders.
  - Conduct consultations with the Aboriginal and African-Canadian communities to improve their accessibility to victims services.
  - Undertake a review of the research on the effectiveness and viability of family violence treatment programs as an adjunct to the formal justice system in responding to spousal/partner violence.
  - In partnership with MTT and the Transition House Association of Nova Scotia expand the provision of the Victims 1st Emergency Telephone Service province-wide.

Provide safe and secure custody, control and effective supervision of offenders

- Construct a new adult correctional facility next to a new forensic hospital in the metro area.
- Examine a cost recovery program for custody of impaired drivers.
- Reduce costs and increase fine payment revenues with our Fine Option Program.
- Work in partnership with the legal community, service organizations and other

government departments to respond effectively to children under 12 who commit crimes.
- Develop a plan for the implementation of the proposed federal Youth Criminal Justice Act.

Promote the lawful administration of public affairs

We will:

- Implement the new Juries Act to provide for greater representativeness and more efficient procedures for jury selection.
- Issue a privacy discussion paper for government and private sector-held personal information.
- Complete consultations on the Fatality Inquiries Act.

BUDGETING CONTEXT

Expenditures by Major Program Area:

Court Services:
The Court Services Division is responsible for administration of the following courts: Nova Scotia Court of Appeal, Supreme Court of Nova Scotia, Supreme Court (Family Division), Provincial Court, Family Court, Small Claims Court, Summary Proceedings Court; the management of court offices and registries (including probate and bankruptcy); security
and transportation of prisoners to and from court; coordination of the Justices of the Peace program; management of the Maintenance Enforcement Program.

Requested 2000-01 budget estimate: $19.048 million

The Division has instituted a number of programs and processes, aimed at reducing the cost of processing cases within the formal justice system. The caseflow management project was instituted to improve case processing by decreasing time delay in litigation. A summary offence pilot project was instituted to divert minor offences to a night court setting, presided over by an adjudicator. As a result of the success of the pilot, this program will be expanded to Sydney. Alternative measures programs for young offenders
and the adult diversion program divert minor cases at the pre- and post-charge stages. Mediation sessions result in agreements, which in many cases require the offender to provide volunteer work in the community.

A new Family Division of the Supreme Court was established in April 1999 to provide a coordinated response to the resolution of family disputes. An array of new services are being provided - including an extensive pre-court conciliation, a mandatory parent education program, and mediation/alternate dispute resolution - all of which are aimed at reducing the harmful effects on children and families during and after family proceedings.

The Department has implemented a new restorative justice initiative, the goal of which is to increase victim satisfaction, community involvement and offender accountability, as well as reducing the demand on the formal criminal justice system. Community agencies are being contracted to facilitate mediation sessions or community justice forums, involving the
offender, victim and members of the community. The program is being 50% cost-shared by the federal government for two years. Although it is unlikely that

cost savings will be realized within the formal justice system in the short term, this is one of the long term goals of the initiative.

Correctional Services:
The Division is responsible for the administration and operation of nine adult correctional institutions, three young offender facilities, and sixteen community corrections offices, which provide supervision of those serving sentences in the community.

Requested 2000-01 budget estimate: $20.639 million

Nova Scotia has traditionally had a favourable ratio of community dispositions to the more costly incarceration dispositions (51:26 per 10,000 adult population) and thus has a very low per capita corrections cost compared to other jurisdictions (third lowest in Canada). In recent years, there has been a reduction in the number of adult correctional institutions
in this Province in an effort to close costly and inefficient small institutions.

The Department has commenced construction of a new central provincial adult correctional facility, co-located with a new forensic facility in the Halifax metro area. In order to fund the operating expenses of the new facility (due to open 2001), a plan for rationalizing the configuration of existing smaller institutions is being developed.

Programs and expenditures for young offenders are heavily influenced by federal legislation. A new Youth Criminal Justice Act is currently before Parliament. Federal contributions toward young offender facilities and programs have declined from a 50% share in 1985 to 39% in 1998. The ability to contain provincial expenditures is dependent upon the success of provincial efforts to maximize federal contributions and the flexibility
of the Province to allocate contributions to offset operating costs of young offender facilities. Nova Scotia has the third lowest rate of admissions to youth custody in Canada. The Department is developing a plan to meet the requirements of the new Youth Criminal Justice Act and reduce expenditures.

The Department has initiated a number of programs to divert offenders from custody (fine option program). A recent Criminal Code amendment created a conditional sentence disposition which permits offenders to serve their sentence in the community. These programs place significant pressures on community corrections staff. In an effort to contain these costs, the Department has made increasing use of volunteers and
paraprofessionals (assistant probation officers). Moreover, the Department contracts with community agencies to supervise community service order placements and with alternative measures societies to provide programs for young offenders diverted from the formal justice system.

Police and Public Safety Services:
The Division is responsible for ensuring that policing services are delivered efficiently and effectively by managing contracts with the RCMP and First Nations Policing; providing regular audits/inspections of municipal police agencies; delivering the federal firearms program; licensing companies and individuals engaged in the private security industry; and working with communities to develop and implement crime prevention programs.

Requested 2000-01 budget estimate: $18.860 million

Nova Scotia Legal Aid:
The Nova Scotia Legal Aid Commission delivers legal representation to qualified applicants with priority for matters involving the liberty and civil rights of individual clients and for matters involving the integrity and protections of an individual's family.

Requested 2000-01 budget estimate: $8.380 million

Federal contributions for legal aid have been steadily decreasing over the past few years. Although the Legal Aid Commission can exert some control over expenditures by adjusting eligibility criteria, federal legislation (such as the Young Offenders Act) places increased emphasis on legal representation as do court orders for legal representation of accused.

Office of the Medical Examiner:
Office conducts investigations into all deaths due to violence, undue means, culpable negligence and sudden unexplained deaths; provides written documentation including cause and manner of death.

Requested 2000-01 budget estimate: $1.108 million

Administration (Legal Services, CSU's, Public Trustee, Policy and Planning, Victims' Services): Overall administration of the Department; legal advice and representation to all government departments and agencies; provision of trustee services for incompetent adults/infants and missing persons; provision of services to victims of crime and
administration of the criminal injuries compensation program.

Requested 2000-01 budget estimate: $14.258 million

Key pressures facing the Division are increasing client department demands for legal services and high staff turnover due to lower salaries in relation to the private sector. Unmet demand results in purchase of legal services from private sector firms, which is not cost-effective.

Provision of a coordinated response to victims of crime is a strategic goal of the Department. Although the institution of such programs on a province-wide basis is a relatively new component of the justice system, it is a service which generates high client satisfaction and results in greater public confidence in the justice system. There is an ever-increasing demand for victims' services. The majority of the funding for the Regional
Victims' Services program comes from the Victim Fine Surcharge Fund, which has been steadily decreasing. In order to address this situation, the Province lobbied the federal government to amend the Criminal Code to increase the victim fine surcharge. The recently proclaimed amendments are expected to generate new revenue in 2000/01. In addition, the Department has initiated a project to maximize fine collection, which will also have a positive impact on the collection of victim fine surcharge.

LINKAGES/PARTNERSHIPS

The Department recognizes the importance of working with all justice partners, community organizations and the corporate sector in the development of a comprehensive crime prevention strategy and in the initiation of restorative justice programs. Acknowledging the need for early intervention in addressing the needs of families and youth at risk, the Department is working in partnership with school

boards and the Department of Community Services.

The Department is involved in a broad consultation process as it seeks to define a strategic direction for policing and the provision of services to victims. Implementation of action plans will require strong collaboration with all components of the justice system, municipal units and community organizations.

The Department will continue to engage in useful partnerships with the private sector to address priorities. Such partnerships have been effective in developing plans for courthouse and correctional institution improvements and in assisting the Department to find innovative technological solutions to business problems.

OUTCOMES AND OUTCOME MEASURES

See Attachment A.

COMMUNICATIONS

Safety

We are committed to the personal safety of Nova Scotians.

With the development of a strategic policing plan, a comprehensive crime prevention program and tougher measures to keep drunk drivers off the road, we will improve public safety and security.

Accessible and Fair

Nova Scotians deserve a justice system that is equitable, fair and accessible.

Through the increased use of mediation services, improved caseflow management and enhanced technology we will improve the efficiency of our court system.

Responsive

We believe in giving victims a voice in Nova Scotia.

With the implementation of a restorative justice program, we will provide a voice for victims, encourage community involvement, and take positive steps to deal more effectively with crime in our communities.

Accountable

Our system of justice must be built on accountability.

We will work to improve programs for offenders, construct a new correctional facility in Halifax Metro area and build on our success with community corrections to help offenders become contributing members of society once again.

Integrity

The business of government must be conducted openly, honestly and with integrity.

By improving the delivery of legal services to client departments, and expanding

the *Freedom of Information and Protection of Privacy Act*, we will promote accessible, open and accountable government.

Audiences

- Legal community
- Judiciary
- Media
- Corrections
- Policing community
- Community Organizations
- General Public

HIGHLIGHTS FROM HUMAN RESOURCES

- Custody Configuration Process/CBS Project

This Correctional Services project is ongoing, and we will continue to provide support/expertise in organizational analysis/design; labor relations; EDIP/layoffs; staffing; classification of positions; and training and development needs.

- Occupational Health and Safety

All committees are established and operational province-wide. As new sections of the Act are implemented, we continue to provide support in understanding/complying with the Act, setting goals/plans/budgets, and ongoing training/development through interdepartmental partnerships. We are tracking the employees' training, and working on an internal Occupational Health and Safety audit system which can also be used for departmental reporting.

- Labor Relations:

We continue to provide sound contract interpretation, advice and assistance to line management. The Civil Service Master Collective Agreement expires March 31, 2000, and the Collective Agreement with the Correctional Officers Union of Nova Scotia - Local 480, expires on October 31, 2000. We have begun preparatory work by way of issues gathering (e.g. right to strike, essential services, staffing process, etc.) and research which will support this massive negotiation process.

- Performance Management

The government has targeted April 1, 2000, for the implementation of this piece of their Integrated Management Development (IMD) program for all MCP employees. We have the largest number of MCP employees in government, and on November 16th, 1999, have completed their mandatory training in the three phases of performance management: Planning For Performance, Coaching For Performance, and Managing Deficient Employee Performance. We will be delivering refresher training and providing ongoing consultative support to managers in this area, and
will be coordinating the annual performance management process in April 2000.

- Succession Planning

This is another element of the government's IMD program for MCP employees. In concert with the Department of Human Resources (DHR), we will be providing the

leadership, training, coordination and implementation of the process.

- Classification Review(s)

Under Article 40.05 of the Civil Service Master Collective Agreement, Management and the Union have agreed to review all bargaining unit classifications in the Civil Service. Under DHR's direction, this process has begun with the selection of a new classification system (Akin Plan) to be used. This means that every union position description in our department(s) must be rewritten and evaluated. Our Human Resources Division must coordinate and provide assistance to all employees with this massive undertaking.

The third element of the government's IMD program is to update our current HAY classification system by re-evaluating all MCP positions. This will also require Human Resources division to coordinate the rewriting of all MCP positions within the department(s) for submission to DHR for classification.

- Training and Development:

Departmental needs have been escalating in all areas of Training and Development from corporate (IMD program), specialized (correctional officers), to general (orientation), and we have just changed our service delivery model to move towardsa pro-active approach to addressing this challenge.

- Diversity Management:

We continue to strive to have our employees reflect the visible minorities and persons with disabilities population within the province. DHR, in partnership with line departments, is working on an implementation plan for the Affirmative Action Policy.

- Decentralize Staffing Process:

We are convinced that our division could provide faster and more efficient/effective service to the department(s) if complete authority/responsibility for this human resource function were decentralized to the departmental human resources group.

- Attendance Management:

We continue to provide training and support to line managers with this relatively new policy. DHR is coordinating an evaluation process of the policy. Results of the evaluation are awaited, as it may assist the department with improvements in this area and support to address pending grievances.

- Disability Management and Workplace Rehabilitation:

This is a very time consuming area for our Consultants as they must liaise with the employee, the manager, the health service providers and DHR to establish rehabilitation goals/plans for the management of short term illness (STI) and long term illness (LTD). We are looking at ways to improve this process as we lack sufficient resources; we do not have the medical expertise on staff to assess many of the issues which is critical to a successful solution.

- Telework Policy:

DHR is currently overseeing a pilot project in this area, and we anticipate that it

may be a value added approach in some work areas of our department(s). If a policy is accepted, we would assist with the training of managers and employees, and coordinate implementation.

HIGHLIGHTS FROM INFORMATION TECHNOLOGY

- Regional Technology Support

During the next fiscal year, the Regional Desktop Support Project will continue to expand. The three participating CSU's (Justice, BCS, NDR) will invite other CSU's to join this project expanding the area of coverage to include most regions of the province.

- Business Solutions

The Technology Division will continue to assist clients to identify, justify, and implement technology solutions to enhance business operations. Partnerships with client representatives will be strengthened with joint participation throughout new initiatives.

Staff of the Division will further develop their capacity to lead or assist with major initiatives through further development of project management skills. Client staff participating on project work will be invited to participate in project management development initiatives.

- Improved Communication with Clients

Communication and information exchange with clients will be improved at all levels. Regular updates on initiatives will be presented to senior managers to increase awareness and to enhance decision making. IT will work together with user groups of major applications to improve information sharing and advance ownership of such applications.

- Technology Strategies

Research on effective technology tools and solutions will continue. The Division will recommend a development tool platform. This recommendation will improve the Division's ability to support and/or develop customized applications. Benefits of development will be leveraged through sharing common solutions where feasible and practical.

HIGHLIGHTS FROM FINANCIAL SERVICES

The Division has recently undergone a minor restructuring which is designed to provide a broader base of support services to the department.

Continue to train staff in client divisions regarding use of corporate financial management system (CFMS/SAP).

Provide financial analysis to client divisions.

top

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